

09/16/2019

JULIA C. DUDLEY, CLERK
BY: *H. Wheeler*
DEPUTY CLERK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

BRENNAN M. GILMORE,

Plaintiff,

v.

ALEXANDER ("ALEX") E. JONES, *et al.*,

Defendants.

CASE NO. 3:18-cv-00017

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court upon Defendants Alex Jones, Lee Ann McAdoo, InfoWars, LLC, and Free Speech Systems, LLC's ("FSS Defendants") Motion to Reconsider or Certify for Interlocutory Appeal (Dkt. 133) and Defendants Derrick Wilburn, Michele Hickford, James Hoft, R. Scott Creighton, and Words-N-Ideas, LLC's ("WNI Defendants") Joint Motion to Reconsider or Certify for Interlocutory Appeal (Dkt. 137).

For the reasons stated in the accompanying memorandum opinion, FSS Defendants' motion is **GRANTED in part** and **DENIED in part**. FSS Defendants' motion is granted insofar as it requests certification for interlocutory appeal pursuant to 28 U.S.C. § 1292(b) and denied insofar as it requests reconsideration. WNI Defendants' motion is **DENIED**.

The Court **CERTIFIES** the following question for interlocutory appeal:

Where an online journalist or publisher with a national audience purposefully and primarily focuses their coverage underlying the suit-related conduct on forum-state events and persons, is such conduct sufficient for a forum court to assert specific personal jurisdiction over that journalist or publisher?

The Clerk of the Court is hereby directed to send a certified copy of this Order to counsel of record. FSS Defendants may now petition the Fourth Circuit to hear this interlocutory appeal pursuant to 28 U.S.C. § 1292(b). The parties shall halt discovery pending the Fourth Circuit's resolution of FSS Defendants' petition.

Entered on this 16th day of September, 2019.



NORMAN K. MOON
SENIOR UNITED STATES DISTRICT JUDGE